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HC-KAR

CNR: KAHC010263442018

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

CRIMINAL CONTEMPT PETITION NO. 2 OF 2018

BETWEEN:

1. HIGH COURT OF KARNATAKA
   REPRESENTED BY THE
   REGISTRAR GENERAL,
   BENGALURU-560 001.

...COMPLAINANT

(BY SRI. B.N.JAGADEESHA, SPP)

AND:

1. SRI. CHETHAN KUMAR
   S/O. NANJUNDA GOWDA,
   RESIDENT OF OLD POLICE QUARTERS,
   WARD NO.19, SHIDDLAGHATTA,
   CHIKKABALLAPURA.

...ACCUSED

(BY SMT. ARCHANA K M FOR ACCUSED [VIDE ORDER DATED: 12.11.2025 AUTHORISED BY HCLC)

THIS CRIMINAL CONTEMPT CASE IS FILED U/S 15 OF THE CONTEMPT OF COURTS ACT,1971 READ WITH ARTICLE 215 OF THE CONSTITUTION OF INDIA PRAYS THAT THIS HON'BLE COURT MAY BE PLEASED TO INITIATE (SUO-MOTO)

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CRIMINAL CONTEMPT OF COURT PROCEEDINGS AGAINST THE ACCUSED HEREIN SRI CHETHAN KUMAR S/o NANJUNDA GOWDA, OLD POLICE QUARTERS, WARD NO.14 RESIDENT OF SHIDDLAGHATTA, CHIKKABALLAPURA DISTRICT, UNDER THE CONTEMPT OF COURTS ACT, 1971 AND TO PUNISH HIM IN ACCORDANCE WITH LAW.

THIS PETITION, COMING ON FOR ARGUMENTS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

ORAL ORDER

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present *suo motu* criminal contempt proceedings have been initiated against the contemnor/accused namely, Mr. Chethan Kumar, pursuant to the order dated 01.02.2018 passed by this Court in Writ Petition Nos.44882–907/2017.

2. The aforesaid writ petitions had been filed by 26 students. These writ petitions were moved before the Vacation Bench (Dasara Vacation). Vide interim order dated 28.09.2017, the respondent-colleges were directed to receive the application

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forms submitted by the petitioners/students, subject to the result of the writ petitions.

3. Mr. A.L. Prem Kumar, learned counsel appearing for the petitioners, had filed a complaint dated 16.11.2017 before the Registrar General of the High Court of Karnataka alleging that the interim order dated 28.09.2017 passed by this Court in the said writ petitions had been fabricated by altering its date to "28.10.2017" by certain persons. The fabricated order would show the names of certain petitioners in those writ petitions as the petitioners in the fabricated order, while at the same time, including names of some other persons as the petitioners in the cause title as if an order had been passed by the Court in respect of those persons against the respondent-institutions.

4. The persons added to the order were not the petitioners in the said writ petitions. Furthermore, 28.10.2017 was a Saturday and the Court was closed. The matter was investigated by the concerned police and a charge sheet was filed. The contemnor/accused is currently facing trial in the criminal case. It is alleged that the date of the interim order i.e., 28.09.2017 was fabricated to appear as interim order

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dated 28.10.2017 and the names of certain students who were not the petitioners in the said writ petitions were added in the interim order. The writ Court, vide detailed order dated 01.02.2018, directed the Registry to place the matter before Hon'ble the Acting Chief Justice for further direction.

5. In pursuance to the order of Hon'ble the Acting Chief Justice dated 07.02.2018, a complaint was initiated and *suo motu* contempt proceedings came to be filed. Thus, the present Criminal Complaint Case No.2/2018 was registered on the basis of the complaint filed on behalf of the petitioners before the Registrar General of this Court, and notice was issued to the accused/contemnor to file a reply to the contempt petition.

6. After consideration of the reply submitted by the contemnor/accused, this Court framed the following charge against him on 10.07.2019:

C H A R G E

"We, Justice Ravi Malimath and Justice H.P.Sandesh do hereby charge you, respondent/accused i.e.,

Chethan Kumar,

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S/o Nanjunda Gowda,
Resident of Old Police Quarters
Ward No.19, Shiddlaghatta,
Chikkaballapura.

as follows:

That, you Chethan Kumar tends to fabricate the order of this Court dated 28.09.2017 passed in Writ Petition Nos.44882-907/2017 as order dated 28.10.2017. Further, on comparison of the cause title showing the names of petitoners and respondents in interim order dated 28.10.2017 with the cause title of the order dated 28.09.2017 with the cause title of the order dated 28.09.2017 passed in Writ petition Nos.44882-907 of 2017, it is found that some of the names of the original parties are not identical with that of the cause title to the writ petitions thereby amounting to criminal contempt within the meaning of Section 2(c) of the Contempt of Courts Act, 1971, punishable under Sections 11 and 12 of the Act, within the cognizance of this Court.

And we hereby direct that you be tried by this Court on the said charge."

7. As many as six witnesses have been examined and the statement of the contemnor/accused was recorded under Section 313 of the Code of Criminal Procedure, 1973, wherein all the incriminating material were put to him. The contemnor/accused has not denied the charge of forging the date of the interim order dated 28.09.2017 to read as

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"28.10.2017" nor has he denied adding the names of students who were not the petitioners. Since the charge of committing criminal contempt by forging the date of the interim order dated 28.09.2017 has been proved, the question which now arises for consideration is as to the quantum of sentence to be inflicted upon the contemnor/accused.

8. Mr. Chethan Kumar, the accused/contemnor, is present in Court. As the charge stands proved and since the contemnor has attempted to interfere with due course of the judicial proceedings and polluted the stream of justice by forging an order passed by this Court, we sentence him to simple imprisonment for a period of three months.

9. We direct the police authorities present in the Court to take him into custody forthwith to serve the sentence imposed by this order.

10. Registrar (Judicial) shall issue conviction warrant against the accused as per Rule 16 of the High Court of Karnataka (Contempt of Court Proceedings) Rules, 1981.

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11. Registry shall furnish a free copy of this order to the accused/contemnor, immediately.

Accordingly, the contempt proceedings are closed.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(H.SHANTHI BHUSHAN)
JUDGE

RKA
List No.: 2 Sl No.: 5